



#3

RULE 63 (37 C.F.R. 1.63)
DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled A SMOKING ARTICLE INCLUDING A SELECTIVE CARBON MONOXIDE PUMP the specification of which (check applicable box(es)):

- ☐ is attached hereto.
☒ was filed on November 28, 2000 as U.S. Application Serial No. 09/723,585
☐ was filed as PCT international application No. PCT/ / on and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a). I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Prior Foreign Application(s): Application Number	Country	Day/Month/Year Filed
---	---------	----------------------

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application listed below:

Prior Provisional Application(s): Application Serial No.	Day/Month/Year Filed
---	----------------------

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

Prior U.S./PCT Application(s): Application Serial No.	Date/Month/Year Filed	Status: patented, pending, abandoned
--	-----------------------	---

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1) Inventor's Signature	<u>Alexander J. Dyakonov</u>		Date	<u>4. 24. 01</u>
Inventor's Name (typed)	<u>Alexander</u>	<u>J.</u>	<u>Dyakonov</u>	<u>Russia</u>
	First	Middle Initial	Family Name	Citizenship
Residence (City)	<u>Greensboro</u>		State/Foreign Country)	<u>NC</u>
Post Office Address	<u>2508 Glen Meadow Drive</u>		Zip Code	<u>27455</u>
2) Inventor's Signature	<u>David A. Grider</u>		Date	<u>4/24/01</u>
Inventor's Name (typed)	<u>David</u>	<u>A.</u>	<u>Grider</u>	<u>USA</u>
	First	Middle Initial	Family Name	Citizenship
Residence (City)	<u>Greensboro</u>		State/Foreign Country)	<u>NC</u>
Post Office Address	<u>2008 Lees Chapel Road</u>		Zip Code	<u>27405</u>
3) Inventor's Signature			Date	
Inventor's Name (typed)				
	First	Middle Initial	Family Name	Citizenship
Residence (City)			State/Foreign Country)	
Post Office Address			Zip Code	

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.
Rhodes & Mason (4/98)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alexander J. Dyakonov et al.
Serial No.: 09/723,585
Filing Date: November 28, 2000
Confirmation No.: 8519
For: **A SMOKING ARTICLE INCLUDING A
SELECTIVE CARBON MONOXIDE PUMP**

Commissioner for Patents
Washington, D.C. 20231

POWER OF ATTORNEY

Sir:

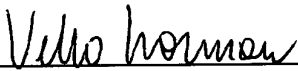
The undersigned, assignee of the entire interest in and to an application of Alexander J. Dyakonov et al. for U.S. Letters Patent for **A SMOKING ARTICLE INCLUDING A SELECTIVE CARBON MONOXIDE PUMP**, filed November 28, 2000, Serial No. 09/723,585, by an assignment document recorded with the Patent and Trademark Office (a copy attached hereto) hereby appoints the firm of Rhodes & Mason, P.L.L.C., comprising C. Robert Rhodes, Reg. No. 24,200, Edward W. Rilee, Reg. No. 31,869, Howard A. MacCord, Jr., Reg. No. 28,639, Jack B. Hicks, Reg. No. 34,180, James L. Lester, Reg. No. 38,721, William J. Mason, Reg. No. 22,948, Gilbert J. Andia, Jr., Reg. No. 38,815, Jeffrey R. McFadden, Reg. No. 46,916, Amy H. Fix, Reg. No. 42,616, Stanislav Antolin, Reg. No. 34,979, and Lewis S. Rowell, Reg. No. 45,469, as my attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Furthermore, in accordance with 37 CFR 3.73(b), the undersigned hereby states that the documentary evidence of a chain of title from the original owner to the assignee, i.e. assignment document referenced above, has been reviewed and the undersigned certifies that, to the best of

assignee's knowledge and belief, title is in assignee who seeks to prosecute this application.

**PLEASE ADDRESS ALL COMMUNICATIONS AND TELEPHONE CALLS TO:
RHODES & MASON, P.L.L.C., P. O. BOX 2974, GREENSBORO, NORTH CAROLINA
27402, (336) 273-4422.**

LORILLARD LICENSING COMPANY, LLC



Vello Norman
President

Date: 05/04/01

File No.: 4800-090

ASSIGNMENT

This Assignment made by us, Alexander J. Dyakonov, a citizen of Russia, residing at 2508 Glen Meadow Drive, City of Greensboro, County of Guilford, State of North Carolina, and David A. Grider, a citizen of the United States of America, residing at 2008 Lees Chapel Road, City of Greensboro, County of Guilford, State of North Carolina, hereinafter referred to as assignors.

WITNESSETH: That,

WHEREAS, we are the joint inventors of certain new and useful improvements in A **SMOKING ARTICLE INCLUDING A SELECTIVE CARBON MONOXIDE PUMP** for which we have made an application for Letters Patent of the United States, application serial number 09/723,585 filed November 28, 2000; and

WHEREAS, Lorillard Licensing Company, LLC, a corporation duly organized and existing under the laws of the State of North Carolina and having a principal place of business in Greensboro, County of Guilford, State of North Carolina, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in the specification executed by us concurrently herewith, and any and all Letters Patent which shall be granted therefor;

NOW, THEREFORE, To All Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, the said assignors, have sold, assigned, transferred and set over unto the said assignee, its successors and assigns, the entire right, title and interest in and to the above-mentioned application and invention and in and to any and all Letters Patent of the United States which may hereafter be granted therefor, and in any and to any and all continuations, continuations-in-part, substitutions,

DUPLICATE
DO NOT DETACH
DO NOT RECORD

divisions or reissues of said Letters Patent, the same to be held and enjoyed by the said assignee, for its interest, and for its own use and behalf, and the use and behalf of its successors and assigns, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

And for the consideration aforesaid, we hereby covenant and agree to and with the said assignee, its successors and assigns, that at the time of the execution and delivery of these presents we are the joint and lawful owners of the entire right, title and interest in and to the invention, application and Letters Patent above-mentioned and that the same are unencumbered, and that we have good right and lawful authority to sell and convey the same in the manner herein set forth.

And for the consideration aforesaid, we hereby covenant and agree to and with the said assignee, its successors and assigns, that we will, whenever its counsel or the counsel of its successors and assigns, learned in the law, shall advise that an amendment, division, continuation, continuation-in-part, or substitution of, or any other proceeding in connection with said application, including interference proceedings, is lawful and desirable, sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for the procurement of valid Letters Patent for said invention, or for the reissue of the same without charge to our said assignee, its successors or assigns, but at its or their expense.

We hereby request the Commissioner for Patents to issue the Letters Patent in accordance with this instrument.

For the consideration aforesaid, we have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the said assignee, its successors, assigns

or nominee, the entire right, title and interest in and to any and all Letters Patent for said invention which may be granted in countries foreign to the United States and in and to any applications for Letters Patent which may be filed for said invention in countries foreign to the United States and in and to the invention described in said application; and we hereby authorize and empower the said assignee, its successors, assigns or nominees to apply for Letters Patent or other form of protection on said invention in its own name or in the name of its successor assignee, or nominee, in any and all countries where it may desire to file such application and where said application may be filed by another than the inventor; and we hereby covenant and agree to sign all papers and drawings, take all rightful oaths, and do all acts necessary or required to be done for procurement of Letters Patent, or other form of protection, for said invention or inventions in countries foreign to the United States, and for further investing or confirming the right and title therein to the assignee, its successors, assignee, or nominee, without charge to our said assignee, its successor, assignee or nominee, but at its or their expense.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on the date(s) indicated below.

Alexander J. Dyakonov
Alexander J. Dyakonov

Date: 4.24.01

David A. Grider
David A. Grider

Date: 4-24-01